REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Final Office Action dated September 25, 2009 (U.S. Patent Office Paper No. 20090914). In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

Status of the Claims

As outlined above, claims 1-49 stand for consideration in this application, wherein claims 1, 2, 7-9, 23, 24, 28, and 29 are being amended to improve form.

All amendments to the application are fully supported therein. For example, the amendments to the claims are supported by paragraphs [0039]-[0050], as well as by Figures 3-7. Applicants hereby submit that no new matter is being introduced into the application through the submission of this response.

Prior Art Rejections

The Examiner rejected claims 1-3, 6, and 32-37 under 35 U.S.C. §103(a) as being unpatentable over Aravamudan (U.S. Patent No. 6,301,609) in view of Feather (U.S. Patent Application Pub. No. 2004/0139195). The Examiner rejected claims 4 and 5 under 35 U.S.C. §103(a) as being unpatentable over Aravamudan in view of Feather, and in further view of Endress (U.S. Patent No. 6,895,554). The Examiner rejected claims 7 and 23-21 under 35 U.S.C. §103(a) as being unpatentable over Aravamudan in view of Kammerer (U.S. Patent Application Pub. No. 2004/0205175). The Examiner rejected claims 8-22 and 38-49 under 35 U.S.C. §103(a) as being unpatentable over Aravamudan in view of Feather, and in further view of Kammerer. Applicants have reviewed the above-noted rejections, and hereby respectfully traverse.

As outlined above, claims 1-49 remain of record. A proper obviousness rejection requires establishing that the prior art references, when combined, teach or suggest all of the claim limitations. MPEP §2143. Accordingly, Applicants respectfully submit that Aravamudan, either alone or in combination with Feather, Endress, and/or Kammerer, fails to teach, suggest, or disclose each and every limitation of claims 1-49. For example, none of the cited references teach or suggest "means for **detecting based on a session control message**

communicated between said at least two terminal devices, a change in status information on a user of said one of said at least two terminal devices or on said one of said at least two terminal devices" as required by independent claim 1. Rather, Aravamudan simply teaches a services platform that utilizes "features and capabilities associated with existing and emerging instant messaging services and communication protocols" (col. 2, ll. 25-28) in which "[a] service provider 120 provides client access to one or more networks for communication and data exchange via a plurality of client premises equipment (CPE) 140" (col. 3, ll. 28-31), and a Communication Services Platform (CSP) 160 is interfaced to the multiple network modes and channels via the service provider 120." (Col. 4, ll. 26-29). Aravamudan further explains that "[t]he service provider provides the interface between multiple networks and the CSP 160, thus allowing a client to maintain a continuous and locatable presence reachable from multiple networks for a subscribing client and the client's CPE 140" (col. 4, ll. 47-51), and "an IM server 130 outside of the service provider 120 domain...interfaces with and services the client via the client's CPE 140 and the client's proxy presence within the Communication Services Platform (CSP) 160." (Cols. 4-5, ll. 65-2).

In contrast to claim 1, Aravamudan provides that "to communicate user's initial network use to the Communication Services Platform (CSP),...assume that the user initially logs onto the network utilizing one of user's client premises equipment (CPE) devices. The client software installed on the accessing CPE device detects network connectivity....**The client CPE software generates a message indicating user's online status and current user address, and...conveys the message to the Instant Message (IM) server, indicating the user's online presence and address**.... The IM server then notifies the CSP of the user's online presence and address....[T]he CSP updates the CSP database to indicate that the user is online, which CPE device the user is utilizing to access the network, and the address to which the CPE device is attached" (Cols. 6-7, ll. 65-20) (emphasis added). Aravamudan also describes, in further contrast to claim 1, that "to communicate to the Communication Services Platform (CSP) a user's inactivity while utilizing a client premises equipment (CPE) device registered as online,...the CPE device **continuously monitors for user interaction with a user interface of the CPE device and relays changes in state with the server**....If interaction with a user interface of the CPE device is sensed, and the previous state was inactive, then the CPE device generates an active message and conveys the active message to the CSP via the Instant Message (IM) server." (Col. 7, ll. 42-59) (emphasis added). In

further contrast to claim 1, Aravamudan also describes that "to determine termination of a network session through lack of network connectivity or disabling of the device, either intentionally or unintentionally,...[d]uring the time period in which a user is maintained as online by the CSP database, **the Instant Message (IM) server periodically polls the client premises equipment (CPE) to determine whether a network session has been terminated.**" (Col. 8, ll. 6-14) (emphasis added). Not one of software running on client premises equipment that generates a message indicating a users online status and current user address, client premises equipment that continuously monitors for user interaction with a user interface of the client premises equipment device to identify a change in user activity, and an Instant Message server that periodically polls a client premises equipment of a user to determine whether a network session has been terminated, as described in Aravamudan, corresponds to a means for detecting, based on a session control message communicated between at least two terminal devices, a change in status information on a user of one of the terminal devices or on one of the terminal devices, as required by claim 1.

Furthermore, Feather contrastingly describes "[a]n apparatus capable of determining state of a device" (abstract) within "[i]nformation handling **systems [that] include various devices and components** that control data transfer applications. The data transfer applications frequently access and use information relating to the state of a physical device. Reliability and performance of the system depends on the accuracy of the state information. The physical devices may take numerous forms in various applications and system types. In a data storage system, physical devices typically include tape drives, disk drives, other types of storage drives, and combinational or hybrid-type devices." (Para. [0002]). That is, as illustrated in Figure 1 of Feather, Feather is directed to determining the state of a component or device that is part of a single computing system such as, "[i]n a storage system, **devices can be tape drives, disk drives, compact disk read-only memory (CDROM) drives, other types of storage devices**, or combinations of devices now known or later developed." (Para. [0028]) (emphasis added). Physical devices or components of a single computing device, as described in Feather, are clearly not terminal devices that can engage in a communication session, as required by claim 1. In still further contrast to claim 1, Feather describes that "[t]he device monitor 100 receives commands (Command), **issues the commands to the device 118 and captures output signals (device output) including status information and data from the device 118**....Device monitor 100 intercepts sense log data from the commands and maintains accuracy of device state cache 122 by **extracting state**

information from the device 118 data (device output) and passing the state information (State) to device state cache 122." (Paras. [0030]-[0031]) (emphasis added). A device monitor that issues commands to a physical device of a single computing system and extracts state information from output signals of the physical device in response to the issues commands, as described in Feather, is clearly not a means for detecting, based on a session control message communicated between at least two terminal devices, a change in status information on a user of one of the terminal devices or on one of the terminal devices, as required by claim 1.

Furthermore, Kammerer merely describes an instant messaging system that "includes a communication network, an instant messaging server on the network connected to client terminals on the network, proxy servers, and redirect servers" in which "[t]he instant messaging server includes an instant messaging presence server application which monitors interactivity between clients on the network." (Abstract). Kammerer explains that the "IM server 1 [has] a presence application 3" (para. [0042]), that "as a user connects to the server 1, and is subscribed to the system, the presence application monitors the user's availability status (e.g., online, busy, away, do not disturb, etc.)" (para. [0052], and that another "function of the presence application 3 is to monitor interactivity between subscribed users. Once a user is subscribed to the system, the presence application 3 monitors that particular user's communications with other client terminals 5 on the network." (Para. [0053]). Kammerer explains that "[a] client 5 is...connected to a proxy server 61 via a local are network 150" (para. [0080]) and that "when a user subscribes to a first proxy server, the first proxy server monitors the user's status and interactivity with other users. The first proxy server then forwards the subscription status and interactivity of its users to a second proxy server." (Para. [0084]).

In contrast to claim 1, Kammerer provides that when "client A uses the IM client application 7 to select client B to initiate a communication" (para. [0114]), a proxy server A that services client A "sends a session event message 405 to the presence server application 3 on the IM server 1. This API event message informs the presence server application 3 that a user has made a request for an active session (voice, video or text)," and "[i]n response, the presence server application 3 sends a presence message to one or more local clients." (Paras. [0115]-[0116]). Kammerer further provides that "[t]he presence message is used by IM client applications to provide session presence. **Even before an active media session is started with client B**, all local clients to client A can see the attempt to create an active session.

Once the media session has been initiated, **the proxy server A sends a session event message 415 to the presence server application 3 on the IM server 1 to identify the session as a busy session** to the subscribed, appropriate members of each of client A and B's organizations." (Para. [0117]) (emphasis added). In further contrast to claim 1, Kammerer also provides that "**[t]he client maintains its own presence awareness data**" (para. [0118]) and that "[a]fter termination of the session 425 between client A and client B, **the proxy server transmits a session event 430 to notify the server application of the termination of the session**. The server application 3 responds to the API message, updates its presence database, and transmits a presence message 435 to one or more client." (Para. [0119]) (emphasis added). A client proxy server that monitors a user's status and interactivity with other users **based on the user's use of a client application**, as described in Kammerer, is clearly not a means included on a session control server for detecting, **based on a session control message communicated between at least two terminal devices**, a change in status information on a user of one of the terminal devices or on one of the terminal devices, as required by claim 1.

Moreover, Endress fails to include any mention or suggestion of any means included on a session control server for detecting, based on a session control message communicated between at least two terminal devices, a change in status information on a user of one of the terminal devices or on one of the terminal devices, as required by claim 1. Accordingly, none of the cited references teach or suggest "means for detecting based on a session control message communicated between said at least two terminal devices, a change in status information on a user of said one of said at least two terminal devices or on said one of said at least two terminal devices" as required by claim 1.

For at least these reasons, Applicants respectfully submit that Aravamudan, either alone or in combination with Feather, Endress, and/or Kammerer, fails to teach, disclose, or suggest each and every limitation of claim 1 and, therefore, that claim 1 is now in condition for allowance. For at least similar reasons to those discussed above with reference to claim 1, Applicants respectfully submit that Aravamudan, either alone or in combination with Feather, Endress, and/or Kammerer, also fails to teach, disclose, or suggest any of the limitations of "means for **detecting a change in the status information on said terminal device or on a user of said terminal device based on a session control message communicated between said terminal device and said another server or said another terminal device**" required by independent claim 2; "one of the one or more servers other than said presence server

detects a change in the status information based on a session control message communicated between the terminal devices" required by independent claim 7; "means for **detecting a change in information on the status of the communication session or in the address information based on a session control message communicated between the first and second terminal devices**" required by independent claim 8; "an interface receiving a status information update message received from said session control server if the session control server **detects a change in the communication session based on a session control message communicated between the at least two terminal devices**" required by independent claim 23; "detecting a change in the status information based on a session control message communicated between the terminal devices" required by independent claim 24; "managing the communication session to **detect a change in the status information based on a session control message communicated between the at least two terminal devices**" required by independent claim 28; and "managing the communication session to **detect a change in the status information based on a session control message communicated between the at least two terminal devices**" required by independent claim 29. For at least these reasons, Applicants respectfully submit that Aravamudan, either alone or in combination with Feather, Endress, and/or Kammerer, fails to teach, disclose, or suggest each and every limitation of any of claims 2, 7, 8, 23, 24, 28, and 29 and, therefore, that claims 2, 7, 8, 23, 24, 28, and 29 are also now in condition for allowance.

Where an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious. *In re Fine*, 5 U.P.S.Q.2d 1596, 1598 (Fed. Cir. 1988). Because claims 3-6, 9-22, 25-27, and 30-49 each depends either directly or indirectly from one of claims 1, 2, 7, 8, 23, 24, 28, and 29, Applicants respectfully submit that Aravamudan, either alone or in combination with Feather, Endress, and/or Kammerer, does not render obvious claims 3-6, 9-22, 25-27, and 30-49 for at least the reasons set forth above that it does not render obvious claims 1, 2, 7, 8, 23, 24, 28, and 29 and, therefore, that claims 3-6, 9-22, 25-27, and 30-49 are also now in condition for allowance.

Therefore, Applicants respectfully submit that the present invention as claimed is distinguishable and thereby allowable over the prior art of record.

Conclusion

In view of all the above, Applicants respectfully submit that certain clear and distinct differences as discussed exist between the present invention as now claimed and the prior art references upon which the rejections in the Final Office Action rely. These differences are more than sufficient that the present invention as now claimed would not have been anticipated nor rendered obvious given the prior art. Rather, the present invention as a whole is distinguishable, and thereby allowable over the prior art.

Favorable reconsideration of this application as amended is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicants' undersigned representative at the address and phone number indicated below.

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